

MEMO ENDORSED

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November 23, 2020

Hon. Valerie E. Caproni
US District Judge
40 Foley Square
New York, NY 10007

Re: *U.S. v. Conyers, et. al, 15 cr 537 (VEC) {Wendell Belle}*

Dear Judge Caproni:

I am counsel for Wendell Belle, in the above referenced matter.

By this letter, I respectfully request an adjournment of Mr. Belle's sentencing currently scheduled for tomorrow, November 24, 2020.

I apologize for the late timing of this request. I assumed that, in light of the ongoing Pandemic, the sentencing was going to be conducted remotely. Working under this assumption, earlier this evening I contacted AUSA Castellano to inquire if she knew the dial in number for tomorrow's proceeding. In response, Ms. Castellano informed the case was scheduled for an in-person sentencing.

Based upon my assumption that the sentencing would occur remotely, I made plans to drive to Pennsylvania tomorrow immediately following the sentencing. In anticipation of this travel, to ensure I am in compliance with Pennsylvania visitor requirements -- as well as the safety of a family member who I will be meeting there -- earlier this evening, I had a rapid Covid-19 test which had a negative result. At this point, I have health concerns about meeting the family member if I first appear at tomorrow's court proceeding and then travel to Pennsylvania.

Based upon the foregoing, I respectfully request the sentencing be adjourned to a date which is mutually available on the Court and parties' calender. Again, please accept my apologies for the belated nature of this request.

I have conferred with the Government and they do not object to this request.

Respectfully submitted,

/s/

Jeffrey G. Pittell

cc: Gina Castellano, AUSA
Other Government counsel of record (by ECF)
Wendell Belle (by email)

Application GRANTED. The resentencing is adjourned to **January 19, 2021 at 10:00 a.m.** The Court is deeply disappointed in Mr. Pitell. As an experienced CJA attorney, his conduct is unacceptable. This Court has been holding in-person sentencing since August 2020 with procedures designed to keep all participants safe from COVID. The *only* reason this request was granted was concern that Mr. Pittell would have been distracted by his health concerns rather than focusing entirely on his client's resentencing. Given the amount of time Mr. Belle is facing, the Court prefers to do this resentencing in person, assuming it can be done so safely.

SO ORDERED.



11/24/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE